

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARTHA KIMMERLY, *et al.*,

Plaintiff,

- vs -

QUIET WOMAN FARM LLC, *et al.*,

Defendants.

**STIPULATION AND
ORDER OF
DISCONTINUANCE**

09-CV-948

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned,
the attorneys of record for all the parties to the above-entitled action ("Action"),

AND HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

Whereas no party hereto is an infant or incompetent person for whom a committee
has been appointed and no person not a party has an interest in the subject matter of the
Action,

1. The Court has jurisdiction over the subject matter of the Action and over all
parties to the Action;

2. The General Release as set forth in the Settlement Agreement between
Plaintiffs and Defendants, including the release of claims under the Fair Labor Standards
Act, and any and all other wage-hour claims, is hereby approved and the settlement
contained therein is a fair, reasonable and adequate settlement and compromise of a
bona fide dispute.

- 2 -

3. The Action is hereby dismissed with prejudice in its entirety and without attorneys' fees, costs, and expenses to any party. This Stipulation and Order may be filed without further notice with the Clerk of the Court.

**Farmworker Legal Services of New York
c/o Worker Justice Center of New York**

**Carter, Conboy, Case, Blackmore,
Maloney & Laird, P.C.**

By: s/ David O. Irving
David O. Irving
1187 Culver Rd.
Rochester, NY 14609
Telephone: (585) 325-3050

BY: _____
Stephen M. Groudine
20 Corporate Woods, Blvd, 5th
Floor
Albany, NY 12211

*Attorneys for Quiet Women Farm, LLC,
Heather Larson and Barbara Larson*

By: s/ Nathaniel K. Charny
Nathaniel K. Charny
Charny & Associates
9 West Market Street, Suite B
Rhinebeck, NY 12572

Dated: _____, 2012

NIXON PEABODY LLP

Attorneys for Plaintiffs

By: _____
Christina Roberts-Ryba
677 Broadway, 10th Floor
Albany, New York 12207
Telephone: (518) 427-2671

Dated: March 5, 2012

*Attorneys for Defendants Patrick Buchanan
and Southern Style Sales LLC*

Dated: _____, 2012

THOMAS F. CUNNINGHAM, Esq.

By: _____
Thomas Cunningham
Office of Thomas F. Cunningham
6 Trinity Way
La Grangville, NY 12540

- 2 -

3. The Action is hereby dismissed with prejudice in its entirety and without attorneys' fees, costs, and expenses to any party. This Stipulation and Order may be filed without further notice with the Clerk of the Court.

**Farmworker Legal Services of New York
c/o Worker Justice Center of New York**

By: _____
David O. Irving
1187 Culver Rd.
Rochester, NY 14609
Telephone: (585) 325-3050

By: _____
Nathaniel K. Charny
Charny & Associates
9 West Market Street, Suite B
Rhinebeck, NY 12572

Attorneys for Plaintiffs

Dated: _____, 2012

**Carter, Conboy, Case, Blackmore,
Maloney & Laird, P.C.**

BY: _____
Stephen M. Grouddine
20 Corporate Woods, Blvd, 5th
Floor
Albany, NY 12211

*Attorneys for Quiet Women Farm, LLC,
Heather Larson and Barbara Larson*

Dated: March 5, 2012

NIXON PEABODY LLP

By: _____
Christina Roberts-Ryba
677 Broadway, 10th Floor
Albany, New York 12207
Telephone: (518) 427-2671

*Attorneys for Defendants Patrick Buchanan
and Southern Style Sales LLC*

Dated: February 23, 2012

THOMAS F. CUNNINGHAM, Esq.

By: _____
Thomas Cunningham
Office of Thomas F. Cunningham
6 Trinity Way
La Grangville, NY 12540

- 2 -

3. The Action is hereby dismissed with prejudice in its entirety and without attorneys' fees, costs, and expenses to any party. This Stipulation and Order may be filed without further notice with the Clerk of the Court.

**Farmworker Legal Services of New York
c/o Worker Justice Center of New York**

**Carter, Conboy, Case, Blackmore,
Maloney & Laird, P.C.**

By: _____
David O. Irving
1187 Culver Rd.
Rochester, NY 14609
Telephone: (585) 325-3050

BY: _____
Stephen M. Groudine
20 Corporate Woods, Blvd, 5th
Floor
Albany, NY 12211

*Attorneys for Quiet Women Farm, LLC,
Heather Larson and Barbara Larson*

By: _____
Nathaniel K. Charny
Charny & Associates
9 West Market Street, Suite B
Rhinebeck, NY 12572

Dated: _____, 2012

NIXON PEABODY LLP

Attorneys for Plaintiffs

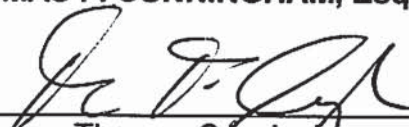
By: _____
Christina Roberts-Ryba
677 Broadway, 10th Floor
Albany, New York 12207
Telephone: (518) 427-2671

Dated: _____, 2012

*Attorneys for Defendants Patrick Buchanan
and Southern Style Sales LLC*

Dated: _____, 2012

THOMAS F. CUNNINGHAM, Esq.

By:  _____
Thomas Cunningham
Office of Thomas F. Cunningham
6 Trinity Way
La Grangville, NY 12540

- 3 -

*Attorney for Defendant Clermont Farm
Corporation*

Dated: 2/21/12, 2012

SO ORDERED:



HON. FREDERICK J. SCULLIN, JR.

Dated: March 19, 2012